



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 26 2015

Certified Mail No. 7011 0470 0002 9198 1729
Return Receipt Requested

Allied Petroleum Company, Inc.
dba Allied Washoe Petroleum
Mr. Mike Cox
P.O. Box 6930R
Reno, NV 89513-6930

Mr. Andy Feinblum, Registered Agent
289 Crescent Street
Quincy, CA 95971

Dear Messrs. Cox and Feinblum:

The U.S. Environmental Protection Agency ("EPA") conducted an inspection on August 19, 2014, at the Allied Washoe Petroleum ("Allied Washoe") facility, located at 289 Crescent Street, in Quincy, California. This correspondence is a follow up to that inspection requesting that Allied Washoe provide additional information related to its compliance with the requirements for the Spill Prevention, Control, and Countermeasure ("SPCC") rule. Pursuant to the authority of Sections 308 and 311(m) of the Clean Water Act ("CWA"), 33 U.S.C. §§ 1318 and 1321(m), Allied Washoe is required to furnish the information and documents specified in the enclosed Information Request.

Providing the information specified in this Information Request is mandatory. Failure to respond fully and truthfully to each and every Information Request within thirty (30) days of receipt of this letter may result in administrative or civil enforcement action by EPA pursuant to Section 309 of the Act, 33 U.S.C. Sec. 1319, which authorizes the United States to seek penalties of up to thirty-seven thousand five hundred dollars (\$37,500) per day for each day of continued non-compliance. "Non-compliance" is considered by EPA to be not only failure to respond to the Request but also failure to respond completely and truthfully to the Request.

This Information Request is directed to Allied Washoe, its officers, directors, and employees and its subsidiaries, divisions, facilities and their officers, directors and employees.

The Information Request is not subject to approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35.

The required information must be submitted, no later than thirty (30) calendar days after receipt of this letter, to:

Ms. Janice Witul
U.S. Environmental Protection Agency
75 Hawthorne St., ENF-3-2
San Francisco, CA 94105

Any request for an extension to the time limit for responding must be in writing to Janice Witul at the above address and must be made within twenty (20) calendar days of receipt of this information request.

You are required to include a signed statement certifying that: 1) you have completed a diligent records search; 2) you have diligently interviewed all present and former employees, and other persons, who may have information relevant to the information requests; 3) all information responsive to EPA's requests has been sent; and 4) the submitted information is true, correct, and complete to the best of your knowledge and belief.

EPA's regulations on confidential business information are found in Part 2, Subpart B of Title 40 of the Code of Federal Regulations. Please identify any information that you claim is confidential business information. If you make a confidentiality claim, and if EPA determines that the information you designated meets the criteria in 40 C.F.R. Section 2.208, we will disclose the information only to the extent, and by means of the procedures, specified in 40 C.F.R. Part 2, Subpart B. If you do not make a claim of confidentiality, we will assume that you are waiving confidentiality and the information you provide may be made public without further notice.


EPA has created a number of helpful resources for small businesses. EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at <http://www.epa.gov>. In addition, the EPA Small Business Ombudsman may be contacted at <http://www.epa.gov/sbo>. Finally, EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act, which is enclosed with this letter.

Pursuant to 40 C.F.R. Section 2.302(h), Disclosure to authorized representatives, you are given notice that EPA may disclose your response to authorized representatives of EPA, including contractors and to state or local agencies that have duties or responsibilities under the Clean Water Act. If you have any comments on this action, you must submit them to us within thirty (30) days of receipt of this letter.

Please direct any questions you may have to Ms. Witul at (415) 972-3089 or witul.janice@epa.gov or to J. Andrew Helmlinger in our Office of Regional Counsel at (415) 972-3904 or helmlinger.andrew@epa.gov.

We appreciate your cooperation and prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Claire Trombadore", with a long horizontal flourish extending to the right.

Claire Trombadore
Assistant Director
Enforcement Division

Enclosures

cc: Jim Perez, Plumas County CUPA

Information Requests
Pursuant to Sections 311(m) and 308 of the Act

INSTRUCTIONS

Each of the following instructions applies to all of the attached Information Request items:

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number of the Information Request to which it corresponds. If the information responsive to a particular request has already been provided pursuant to EPA's Notice of Federal Interest, you may reference the particular submittal that contains the relevant information and the pages on which the information appears.
3. In answering each Information Request, identify all contributing sources of information.
4. If information not known or not available to you as of the date of submission of its response should later become known or available, you must supplement the response to EPA. Moreover, should you find, at any time after the submission of its response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA as soon as possible.
5. For each document produced in response to the Information Requests, indicate on the document, or in some other reasonable manner, the number of the question(s) to which it responds.
6. You must respond to the Information Requests on the basis of all information and documents in your possession, custody or control or in the possession, custody or control of your former or current employees, agents, servants, contractors or attorneys. Furnish such information as is available to you, regardless of whether or not it is based on personal knowledge, and regardless of source.
7. Any written statements in your response must be returned under an authorized signature certifying that all statements contained in the response are true and accurate to the best of the signatory's knowledge and belief.
8. If any documents requested herein have been transferred voluntarily or involuntarily to

others or have been otherwise disposed of, identify each such document, identify the person to whom it was transferred, describe the circumstances surrounding such transfer or other disposition, and state the date or approximate date of such transfer or other disposition.

9. The EPA regulations concerning confidentiality and treatment of business information are contained in 40 C.F.R. Part 2, Subpart B. Information may not be withheld from the Administrator or his authorized representative because it is viewed as confidential. However, when requested to do so, the Administrator is required to consider information to be confidential and to treat it accordingly, if disclosure would divulge methods or processes entitled to protection as trade secrets (33 U.S.C. §§ 1318(b) and 1321(m)(2)(D), and 18 U.S.C. § 1905), except that effluent data (as defined in 40 C.F.R. § 2.302(a)(2)) may not be considered by EPA as confidential. *See* 40 C.F.R. § 2.302(e).

10. The regulations provide that one may assert a business confidentiality claim covering part or all of any trade secret information furnished to EPA at the time such information is provided to the Agency. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). In the event that a request is made for release of information covered by such claim of confidentiality or the Agency otherwise decides to make a determination as to whether or not such information is entitled to such confidential treatment, notice will be provided to the claimant prior to any release of the information. However, if no claim of confidentiality is made when information is furnished to EPA, any information submitted to the Agency may be made available to the public without prior notice.

DEFINITIONS

For the purpose of the Instructions and Information Requests set forth herein, the following definitions shall apply:

1. The term “you” shall mean Mr. Cox and Allied Petroleum Company, Inc., dba Allied Washoe Petroleum (hereinafter “Allied Washoe”), and respective officers, managers, employees, contractors, trustees, predecessors, successors, assigns, subsidiaries, and agents.
2. The term “person” as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. The term “Facility” shall mean the Allied Washoe facility located at 289 Crescent Street, Quincy, California. It shall include all tanks, gathering lines, pipelines, wells and other equipment related to oil production, storage or distribution operated by you in the vicinity of the facility in Quincy, California.
4. The term “oil” shall have the same definition as that contained in Section 311(a)(1) of the Act, 33 U.S.C. § 1321(a)(1).
5. The term “hazardous substances” shall have the same definition as that contained in Section 311(a)(14) of the Act, 33 U.S.C. § 1321(a)(14), including the substances listed in 40 C.F.R. Part 116.
6. The terms “furnish,” “describe,” “provide” or “indicate” shall mean turning over to EPA either original or duplicate copies of the requested information in your possession, custody, or control. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control, then indicate where such information or documents may be obtained.
7. The term “identify” means, with respect to a natural person, to set forth his or her full name, present or last known business address, the name of his or her employer and a description of the job responsibilities of such person.
8. The term “identify” means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.) organization, if any, and a brief description of its business.

9. The term “identify” means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressee and/or recipient, and the substance of the subject matter.

10. The term “discharge” shall have the same definition as that contained in Section 311(a)(2) of the Act, 33 U.S.C. § 1321(a)(2), which includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping.

11. As used here, “document” and “documents” shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (included by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memoranda of telephone and other conversations (including meetings, agreements and the like), diary, calendar, desk pad, scrap book, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any disc or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such disc other type of memory). The terms “document” and “documents” include (a) every copy of each document that is not an exact duplicate of a document which is produced, (b) every copy that has any writing, figure or notation, annotation or the like, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.

12. “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information that might otherwise be construed to be outside their scope.

13. “Natural Resources” includes land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the exclusive economic zone), any state or local government or Indian tribe, or any foreign government.

INFORMATION REQUEST

You are required to provide the following information (including all supporting documents for the information) regarding the Allied Washoe Facility.

Corporate Status and Representative Information

1. Identify the person(s) answering these questions on behalf of Allied Washoe, its affiliates and other related entities, including full name, business mailing address, business telephone number and relationship to Allied Washoe.
2. State the full and correct name of Allied Washoe, its corporate address, its current line(s) of business, and its Dun & Bradstreet Number, if any. Provide the name and address of its president and any registered agent in California, the state in which it is originally incorporated, and the state(s) in which it does business.
3. Identify the parent corporation(s), subsidiary(ies) and related entity(ies) of Allied Washoe, if any. For each parent, subsidiary or related entity provide its address, the state in which it is incorporated, the state(s) in which it is doing business, its current line(s) of business, and its Dun & Bradstreet number, if any.

Facility Information

4. Describe the Facility at the time of the EPA visit on August 19, 2014, including:
 - a. Physical layout of the facility;
 - b. Primary product(s) or service(s) provided by the Facility;
 - c. The total oil storage capacity of the Facility;
 - d. Operational status of the Facility on August 19, 2014; and
 - e. Operations status of the Facility at time of your response to these questions.
5. Provide the names titles, addresses and phone numbers of employees and officials who were present during the visit at the Facility conducted by EPA on August 19, 2014.
6. Describe the relationship between Allied Washoe and the Facility at which the EPA conducted the visit on August 19, 2014. Explain whether Allied Washoe, or one of its related companies, is the current owner or operator of the Facility, and whether Allied Washoe has been the owner for the last five years. If the Facility has been transferred, specify the parties currently owning or operating the Facility.
7. Provide the name, address and telephone number(s) for each owner, operator and person

in charge of the Facility during the last five years. For each owner, operator and person in charge, also specify the time period(s) that they owned, operated or were in charge of the Facility.

8. State what petroleum materials, whether alone or mixed with any other substance (including water) were stored at the Facility on August 19, 2014. Please additionally state what petroleum materials, whether alone or mixed with any other substance (including water) are currently stored at the Facility.

SPCC Plan and Implementation

9. Provide a copy of the Spill Prevention, Control, and Countermeasure ("SPCC") Plan for the Facility that was in effect at the time of the visit on August 19, 2014.

10. Provide documentation that indicates the dates that each SPCC-regulated tank (i.e., bulk storage container greater than fifty-five (55) gallons) at the Facility was put into service.

11. Provide details as to any relevant or purported industry standard(s) (e.g., API, STI, UL) used to determine inspection and testing requirements for SPCC-regulated tanks at the Facility.

12. Provide documentation for any testing that occurred for the SPCC-regulated tanks at the Facility within the previous twenty (20) years with the dates of respective testing, and indicate the manner that the testing was consistent with relevant or purported industry standards.

13. Provide any other pertinent information that you would like EPA to consider regarding the applicability of the 40 C.F.R. Part 112 to the Facility.



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair
ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing
www.chemalliance.org

Construction
www.cicacenter.org or 1-734-995-4911

Education
www.campuserc.org

Food Processing
www.fpeac.org

Healthcare
www.hercenter.org

Local Government
www.lgean.org

Metal Finishing
www.nmfrc.org

Paints and Coatings
www.paintcenter.org

Printing
www.pneac.org

Ports
www.portcompliance.org

Transportation
www.tercenter.org

U.S. Border Compliance and Import/Export Issues
www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines
EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line
www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center
www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline
www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) - www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline - www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsca-hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.